

DEPARTMENT OF CONSUMER AFFAIRS

**INITIAL STATEMENT OF REASONS FOR THE
PROPOSED AMENDMENTS TO THE CONFLICT OF INTEREST REGULATIONS**

Hearing Date: April 3, 2003

Subject Matter of Proposed Regulations: Conflict of Interest Code

Section Affected: 16 CCR 3830

Specific Purpose:

These proposed changes would update the existing Conflict of Interest Code primarily by adding to the list of designated employees. Therefore, a number of employees who were not previously required to file annual financial disclosure statements would now be required to file them. A small number of currently designated positions would be deleted.

In addition, for consistency and better presentation, we have modified the regulations to put the agencies under the department in alphabetical order.

Underlying Data

Organization charts, duty statements

Business Impact

This regulation will not have any adverse economic impact on businesses.

Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the department would be either more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome to affected private persons than the proposed regulation.

Factual Basis/Rationale

Designated Employees

Disclosure Categories

Administration Executive Offices

Director	1
Chief Deputy Director	1
Deputy Director, <u>Board Relations</u>	1
<u>Assistant Deputy Director, Board Relations</u>	1
Deputy Director, <u>Bureau Oversight</u>	1
Chief, <u>Interdepartmental Relations</u>	1
Deputy Director, Chief of Legal Affairs	1
Deputy Director, Chief of Consumer Services	1
Assistant to the Director, Appointments	3,11
Assistant Director, Legislation	5,13
<u>Special Aide to the Director</u>	1

Three new deputy director positions (Board Relations, Bureau Oversight, Interdepartmental Relations), along with an Assistant Deputy, Board Relations, and a Special Aide to the Director, have been added to the code. The Deputy Director, Chief of Legal Affairs, has been renamed as a “Deputy Director, Legal Affairs” to reflect the consolidation of the Legal Office and Legal Services Unit, the latter of which formerly was a unit within the Division of Consumer Affairs. The Deputy Director, Legal Affairs Division, is located in the Legal Affairs Division segment of the code. The Assistant to the Director, Appointments, has been deleted and its function, which was to advise the Director regarding appointments to the regulatory boards, has been transferred to the Deputy Director Board Relations. The Assistant Deputy Director, Legislation, has been elevated to a Deputy Director position and its functions transferred to the Legislative and Regulatory Review Division.

Communications and Education Division

<u>Deputy Director</u>	1
<u>Information Officer II</u>	1

The Communications and Education Division is a new division primarily responsible for the department’s consumer and public information and education program. Its deputy director and his assistant, an Information Officer II, have been added to the code.

Consumer Relations and Outreach Division

<u>Deputy Director</u>	1
<u>Chief, Consumer Information Center</u>	3,4,5
<u>Manager, Consumer Information Center</u>	3,4,5

<u>Manager, Consumer Relations Unit</u>	<u>3,4,5</u>
<u>Manager, Management Support Unit</u>	<u>3,4,5</u>
<u>Chief, Arbitration Certification Program</u>	<u>7,8,11</u>
<u>Chief, Complaint Mediation Program</u>	<u>3,4,5</u>
<u>Managers, Field Offices of the Complaint Mediation Program</u>	<u>3,4,5</u>

The Consumer and Relations Division is a new division responsible for receiving and mediating consumer complaints, and its deputy director has been added to the code. This division also contains the Arbitration Review Program, which certifies automobile manufacturer arbitration programs for the Lemon Law Program. The Chief of the Arbitration Review Program has been added to the code. The Chief of the Consumer Information Center (CEA I), and the three managers of the three units which comprise the center have been added to the code. The Chief of the Complaint Mediation Program and managers of the field offices have been added to the code.

Division of Administration and Technology

<u>Deputy Director</u>	<u>1</u>
<u>Chief, Office of Administrative Services</u>	<u>5</u>
<u>Fiscal Officer, Fiscal Operations Office</u>	<u>5</u>
<u>Accounting Administrator II</u>	<u>5</u>
<u>Accounting Administrator I, Cashiering/Payroll</u>	<u>5</u>
<u>Staff Admin. Analyst, Accounts Receivable/Revenue</u>	<u>5</u>
<u>Accounting Administrator I, General Ledger</u>	<u>5</u>
<u>Staff Admin. Analyst, Calstars</u>	<u>5</u>
<u>Accounting Administrator I, Accounts Payable</u>	<u>5</u>
<u>Staff Services Manager II, Budget Office</u>	<u>5</u>
<u>Staff Services Manager, Business Services Office</u>	<u>5</u>
<u>Associate Governmental Program Analyst</u>	<u>5</u>
<u>Staff Services Analyst</u>	<u>5</u>
<u>Staff Services Manager, Facilities and Planning Unit</u>	<u>5</u>
<u>Business Services Assistant</u>	<u>5</u>
<u>Business Services Officer</u>	<u>5</u>
<u>Associate Space Planner</u>	<u>5</u>
<u>Associate Business Management Analyst</u>	<u>5</u>
<u>Staff Services Manager, Contracts Unit</u>	<u>5</u>
<u>Associate Governmental Program Analyst</u>	<u>5</u>
<u>Staff Services Analyst</u>	<u>5</u>
<u>Business Services Officer, Purchasing Unit</u>	<u>5</u>
<u>Business Services Assistant</u>	<u>5</u>
<u>Business Services Officer</u>	<u>5</u>
<u>Office Services Supervisor, Support Services Unit</u>	<u>5</u>
<u>Office Services Supervisor</u>	<u>5</u>
<u>Assistant Information System Analyst</u>	<u>5</u>

Designated Employees

Disclosure Categories

<u>Manager, Office of Human Resources</u>	<u>5</u>
<u>Labor Relations Specialist, Labor Relations Office</u>	<u>5</u>
<u>Staff Services Manager II, Training and Consulting Office</u>	<u>5</u>
<u>Chief Information Officer, Office of Information Services</u>	<u>5</u>
<u>Section Chiefs</u>	<u>5</u>
<u>Team Supervisors</u>	<u>5</u>

The Division of Technology and the Division of Administration have been consolidated into a Division of Administration and Technology. A deputy director who heads the division has been added to the code. The chiefs of two offices (Office of Administrative Services and the Office of Technology) who were previously designated in the 1990 code, are now within this segment of the code.

Within the Office of Administrative Services, the Fiscal Officer, Fiscal Operations Office (Staff Services Manager III), and the chief of each office (Business Services, Budget, Human Resources, Training and Development), who all were previously designated in the 1990 code, have been relocated to this segment of the code. An Accounting Administrator II has been added to the code.

The Fiscal Operations Office was created after the enactment of the 1990 code. Within the Fiscal Operations Office, the positions of Accounting Administrator I (Cashiering and Payroll), Staff Administrative Analyst (Accounts Receivable/Revenue), Accounting Administrator I (General Ledger), Staff Administrative Analyst (Calstars), and Accounting Administrator (Account Payable) have been added to the code.

Within the Budget Office, the Budget Officer was part of the 1990 code, and was renamed “Budget Officer II.”

Within the Business Services Office, the Chief of the Office (renamed as Staff Services Manager), the Business Services Officers and the Business Services Assistant were in the 1990 code and relocated to this part of the code. The positions of Associate Governmental Program Analyst and Staff Services Analyst were added to the code. Within the Facilities and Planning Unit, the manager of the unit, the Business Services Assistant, the Business Services Officer, the Associate Space Planner, and the Associate Business Management Analyst have been added to the code. Within the Contracts Unit, all the Associate Governmental Program Analysts and Staff Services Analysts (who negotiate contracts for the department and its licensing agencies) have been added to the code. Within the Purchasing Unit, the Business Services Officer and the Business Officers were previously part of the code, and for purposes of clarification, this segment of the code is amended to read “Business Services Officer,” and “Business Services Assistant.” In the Support Services Unit, the Office Services Supervisor and Assistant Information Systems Analyst were added to the code.

The Personnel Office was renamed “Office of Human Resources” and the Personnel Officer was renamed as the “Manager, Office of Human Resources.” The Labor Relations Officer, who heads the Labor Relations Office, was renamed “Labor Relations Specialist.” The Training Manager’s functions were transferred to the Manager, Training and Consulting Office.

The Division of Technology was renamed the “Office of Information Services,” and its chief renamed as the “Chief Information Officer.” The Division’s sections were renamed and all section chiefs and team supervisors of the teams within the sections have been added to the code.

Energy Unit

Chief..... 9

The Energy Unit is a new unit, which has as its principal function the education of consumers on energy uses, and its chief has been added to the code.

E-Government Projects

Chief..... 9

The E-Government Project’s principal function is the promotion of innovative ways in which computing and communications technologies can be applied to the practical problems of information management and service delivery in the public sector. Its chief has been added to the code.

Equal Employment Opportunity Office

Chief..... 5

The Equal Employment Opportunity Office handles complaints of sexual harassment, and complaints dealing with race, nationality, religion, and sexual preference. Its chief has been added to the code.

Office of Examination Resources

Staff Services Manager III, Chief..... 5
Personnel Selection Consultant II, Testing and Measurement Specialist 5
Staff Services Manager I, Operational Manager 5
Staff Information Systems Analyst (Specialist), Administrative Support 5
Testing Validation and Development Specialist II, Testing and
Measurement Specialist 5

<u>Test Validation and Development Specialist I, Testing and Measurement Specialist</u>	5
<u>Staff Services Analyst, Test Validation and Development Specialist</u>	5

The Central Testing Unit has been renamed “Office of Examination Resources.” The Chief of the Office as well as the professional staff as indicated above have been added to the code. The Chief relies on the unique expertise of the staff who are primarily experts in test validations, and does not subject their recommendations to substantive and significant review.

Information Security Office

<u>Chief</u>	9
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The Information Security Office is responsible for the management of all information security and operational recovery activities throughout the department, and the position of the manager of the office has been added to the code. This office does not interact with any licensees but only with employees of the department, and thus is subject to disclosure Category 9.

Internal Audit Office

<u>Chief</u>	9
<u>Senior Management Auditor</u>	9
<u>Associate Management Auditors</u>	9

The Internal Audit Office is responsible for the internal control structure to prevent or detect the misuse of public funds and other assets. All staff of this office has been added to the code.

Legal Office Division of Legal Affairs

<u>Deputy Director</u>	1
<u>Supervising Counsel, Legal Office</u>	1,3,4,5,6,11,12
<u>Staff Counsel</u>	1
<u>Coordinator, Dispute Resolution Office</u>	1,7,9

The Deputy Director of the Division of Legal Affairs, and the Supervising Counsels of both the Legal Unit and the Legal Services Unit have all been consolidated in this section of the regulations. The Legal Services Unit was formerly located within the Division of Consumer Affairs. The Legal Office was a separate unit. Each supervising counsel of the Legal Services Unit and the Legal Office was previously designated in the 1990 code and both positions are now consolidated into “Supervising Counsel.” The staff counsels of the

Division of Legal Affairs have been added to the code. The supervising counsel and staff counsel are subject to the broadest category since the office gives advice to the department, as well as to the constituent agencies within the umbrella of the department, the California Arts Council and the Board of Pilot Commissioners, and not just to a particular licensing agency. Their advice and recommendations are usually adopted by the department and its licensing agencies without significant substantive review. The Coordinator of the Dispute Resolution Office which was formerly located within the Division of Consumer Affairs in the 1990 code has been transferred to the Division of Legal Affairs. The Coordinator is also a staff counsel in the division, and gives advice to the county and programs participating in the Dispute Resolution Program Act.

Legislative and Regulatory Review Division

<u>Deputy Director</u>	<u>1</u>
<u>Assistant Deputy Director</u>	<u>1</u>
<u>Manager</u>	<u>1</u>

The Legislative Unit has been transferred to the Division of Legislative and Regulatory Review. The Deputy Director of the Division and the Assistant Director has been added to the code. These positions have been subjected to the broadest disclosure category since they review and recommend positions on legislation which affect the whole department and its licensing agencies.

Policy, Research & Planning Division

<u>Chief</u>	<u>1</u>
<u>Staff Services Manager II</u>	<u>1</u>
<u>Research Program Specialist II</u>	<u>1</u>

The Policy, Research, and Planning Division is responsible for implementing the department's total management effort. The position of chief has been added to the code.

Office of Privacy Protection

<u>Chief</u>	<u>9</u>
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The Office of Privacy Protection has as its essential function the education of consumers on privacy issues. Its chief does not impact any policies on a department wide basis or any licensing agencies. Disclosure is subject only to Category 9 since the Chief of the Office of Privacy Protection could foreseeable effect an economic interest in a business entity contracting to provide equipment to the official's immediate employer.

Division of Administration

Chief, Division of Administration _____ 5

Fiscal Office

Fiscal Officer _____ 5

Budget Officer _____ 5

Budget Office Unit Supervisor _____ 5

Accounting Administrator _____ 5

Assistant Accounting Administrator _____ 5

Chief of Business Services _____ 5

Business Services Officers _____ 5

Business Services Assistants _____ 5

Personnel Office

Personnel Manager _____ 5

Training Manager _____ 5

Labor Relations Officer _____ 5

Central Testing Unit

Manager _____ 5

Test Program Analyst _____ 5

Division of Technology

Chief _____ 5

Manager, Development and Maintenance Section _____ 5

Manager, Support Services Section _____ 5

Manager, Production Operations Section _____ 5

The Division of Technology and the Division of Administration have been consolidated into the Division of Administration and Technology.

Division of Consumer Services**Executive Unit**

Designated EmployeesDisclosure Categories

Deputy, Program Development	1
Deputy Chief	1

Legal Services Unit

Supervising Attorney	2,13
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Legislative Unit

Manager	13
Staff Counsel	13

Dispute Resolution Office

Coordinator	7,9
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The Division of Consumer Services is no longer in existence. The Legislative Unit is now part of the Legislative and Regulatory Review Division, and the Legal Services Unit and the Dispute Resolution Office have been transferred to the Division of Legal Affairs.

All Members and Executive Officers of Boards Including But Not Limited to the following Boards:

Board members are appointed by the Governor, the Assembly Speaker, and the Senate Rules Committee. Members are responsible for implementing the law governing the licensing and regulation of the licensees. Disclosure for most board members would be required under Categories 7, 8, 9 and 10. Disclosure under Category 7 would be required because the members could foreseeably affect an economic interest in a program regulated by their board. Disclosure under Category 8 is usually required because the members make or participate in a decision which could foreseeably affect a financial interest in a continuing education provider. Disclosure under Category 9 would be required because the members could affect an economic interest in a business entity which has contracted to provide goods or services to the licensing agency. Disclosure under Category 11 would be required because the member could affect a financial interest from a business or professional association representing licensees of the licensing agency.

Executive Officers or the heads of each agency run the day to day operations of the board and are responsible for implementing the licensing agency's policies and decisions. Disclosure in Categories 7, 8, 9, and 11 is required for the same reasons that board members are required to make disclosures under those categories.

California Board of Accountancy

Board Members	7,8,9,11,13
Executive Officer	7,8,9,11,13
Assistant Executive Officer	7,8,9,11,13
Chief of Enforcement	7,8,9,11,13
Supervising Investigative CPA	7,8,9,11,13

Members of the following committees:

Continuing Education Committee	7,8,11
Certified Public Accountants Qualifications Committee	7,8,11
Administrative Committee	7,8,11
Report Quality Monitoring Committee	7,8,11

The Continuing Education Committee was abolished.

Acupuncture Committee Board

Board Members	7,8,9,11,13
Executive Officer	7,8,9,11,13

The Acupuncture Committee which formerly functioned under the Medical Board of California became an independent board. Its members and executive officer have been added to the code and would be subject to the usual disclosure categories.

Board of Architectural Examiners California Architects Board

Board Members	7,8,9,11,13
Executive Officer	7,8,9,11,13
Assistant Executive Officer	7,8,9,11,13
<u>Staff Services Analyst, Administration</u>	<u>7,8,9,11</u>
<u>Associate Governmental Program Analyst, Enforcement Officer</u>	<u>7,8,9,11</u>
<u>Associate Governmental Program Analyst, Enforcement Analyst</u>	<u>7,8,9,11</u>
<u>Associate Governmental Program Analyst, Exam Program Analyst</u>	<u>7,8,9,11</u>
<u>Staff Services Analyst, Written Exam Licensing</u>	<u>7,8,9,11</u>
<u>Management Services Technician, Oral Exam Coordinator</u>	<u>7,8,9,11</u>
<u>Staff Services Manager I, Landscape Architects Program, Program Manager</u>	<u>7,8,9,11</u>
<u>Staff Services Analyst, Licensing and Enforcement</u>	<u>7,8,9,11</u>
<u>Staff Services Analyst, Exam Coordinator</u>	<u>7,8,9,11</u>

Members of the following committees:

<u>Professional Qualifications Committee</u>	<u>7,8,11</u>
<u>Examinations Committee</u>	<u>7,8,11</u>
<u>Regulatory and Enforcement Committee</u>	<u>7,8,11</u>
<u>Communications Committee</u>	<u>7,8,11</u>

The Board of Architectural Examiners was renamed the “California Architects Board” and the Landscape Architects Board was abolished and renamed the “Landscape Architects Program” as part of the California Architects Board.

In the 1990 code, the executive officer and the assistant executive officer were part of the code. The Staff Services Analyst (Administration), Associate Governmental Program Analyst, (Enforcement Officer), Associate Governmental Program Analyst (Exam Program Analyst), Staff Services Analyst (Written Exam Licensing), and Management Services Technician (Oral Exam Coordinator), have all been added to the code. Although it is unusual to add to the code a Management Services Technician, the Assistant Executive Officer stated that this position requires the employee to enter into contracts with business entities (hotels and examination services), and the position requires close contact with examination applicants.

The members and executive officer of the Landscape Architect Board were part of the 1990 code. With the abolishment of the board, the manager of the program and the staff services analyst have been added to the code.

According to the assistant executive officer, the Professionals Qualifications Committee, the Examinations Committee, the Regulatory Enforcement Committee and the Communications Committee are long-standing committees and their recommendations have been regularly approved without significant amendment or modification, over an extended period of time.

State Athletic Commission

Commission Members	7,9,10,11,13
Executive Officer	7,9,10,11,13
Assistant Executive Officer	7,9,10,11,13
Chief Inspector	7,9,10,11,13
Assistant Chief Inspector	7,9,10,11,13

The State Athletic Commission has abolished the position of Assistant Executive Officer.

Board of Barber Examiners

Board Members	7,8,9,10,11,13
Executive Officer	7,8,9,10,11,13

The Board of Barber Examiners was abolished and its functions transferred to the Bureau of Barbering and Cosmetology. The bureau became a board in 2003 and appropriately renamed as the Board of Barbering and Cosmetology.

Board of Barbering and Cosmetology

<u>Board Members</u>	<u>7,8,9,10,11</u>
<u>Executive Officer</u>	<u>7,8,9,10,11</u>
<u>Assistant Executive Officer</u>	<u>7,8,9,10,11</u>
<u>Manager, Administration Section</u>	<u>7,8,9,10,11</u>
<u>Manager, Enforcement Section</u>	<u>7,8,9,10,11</u>
<u>Supervising Inspector III, Inspection Section</u>	<u>7,8,9,10,11</u>
<u>Supervising Cosmetology Examiner, Examination Section</u>	<u>7,8,9,10,11</u>

Both the Board of Barber Examiners and the Board of Cosmetology were abolished and their functions transferred into the Bureau of Barbering and Cosmetology. In 2003, the Bureau became the Board of Barbering and Cosmetology. The former Supervising Examiner of the Cosmetology Board was reclassified as a Supervising Cosmetology Examiner. The Manager (Administration Section), the Manager (Enforcement Section), and the Supervising Inspector (Inspection Section) have been added to the code.

Board of Behavioral Sciences ~~Examiners~~

Board Members	7,8,9,11,13
Executive Officer	7,8,9,11,13
<u>Staff Services Manager I/Staff Services Manager II</u>	<u>7,8,9,11</u>

The Board of Behavioral Science Examiners was renamed the “Board of Behavioral Sciences.” The Staff Services Manager I/Staff Services Manager II was added to the code.

~~Cemetery Board~~

Board Members	7,9,11,13
Executive Officer	7,9,11,13

The Cemetery Board was abolished and became part of the Cemetery and Funeral Bureau.

Contractors' State License Board

Board Members	7,9,11,13
Registrar	7,9,11,13
Chief Deputy Registrar (CEA)	7,9,11,13
<u>Administrative Officer</u>	9
<u>Chief, Management Services</u>	9
<u>Staff Counsel</u>	7,9,11
<u>Research Manager I</u>	9
<u>Associate Management Analyst</u>	9
<u>Business Services Officer</u>	9
<u>Licensing Deputy (CEA I)</u>	7,9,11,13
<u>Regional Deputy (CEA I)</u>	7,9,11
<u>Deputy Registrar IV</u>	7,9,11,13
<u>Deputy Registrar III</u>	7,9,11,13
<u>Deputy Registrar II</u>	7,9,11,13
<u>Chief, Administration Division</u>	9
<u>Manager, Business Services Payables</u>	9
<u>Associate Governmental Program Analyst</u>	9
<u>Business Services Officer</u>	9
<u>Business Services Assistant</u>	9
<u>Associate Governmental Program Analyst B Management Analysis</u>	9
<u>Staff Services Analyst B Management Analysis</u>	9
<u>Chief, Enforcement Division</u>	7,9,11
<u>Enforcement Supervisors I & II</u>	7,9,11
<u>Enforcement Representatives I & II</u>	7,9,11
<u>Consumer Service Representatives</u>	7,9,11
<u>Manager, Enforcement Analytical Support and Training</u>	7,9,11
<u>Associate Governmental Program Analyst</u>	7,9,11
<u>Staff Services Analyst</u>	7,9,11
<u>Chief, Licensing Division</u>	7,9,11
<u>Manager, License Management/Processing Unit</u>	7,9,11
<u>Chief, Office of Public Information</u>	7,9,11
<u>Information Officer I</u>	7,9,11
<u>Legislation Coordinator (CEA)</u>	7,9,11
<u>Manager, Testing Division</u>	7,9,11
<u>Personnel Selection Consultant II</u>	
<u>Examination Development/Maintenance</u>	7,9,11
<u>Staff Services Analyst</u>	7,9,11
<u>Associate Information Systems Analyst (Sup.)</u>	
<u>Examination Administration</u>	7,9,11
<u>Staff Services Analyst</u>	7,9,11

The Contractors' State License Board has renamed the heads of its divisions, and has designated certain other positions. In its Administration Division, those positions which contract for products and services with business entities have been added to the code. These positions are the Manager (Business Services Payables) and the positions which report to this manager which are the Associate Governmental Program Analyst, the Business Services Officer, and the Associate Governmental Program Analyst (Management Analysis).

In the Enforcement Division, the Chief has been added to the code, as well as Enforcement Supervisors and Representatives, all Consumer Service Representatives, the Manager (Enforcement Analytical Training), Associate Governmental Program Analyst, and a Staff Services Analyst.

In the Licensing Division, the Chief has been added to the code, as well as the manager of the License Management Processing Unit.

The Legislative Coordinator has been added to the code.

The Manager of the Testing Division has been added to the code, as well as the Personnel Selection Consultant II, and two staff services analyst.

Board of Cosmetology

Board Members	7,8,9,10,11,13
Executive Officer	7,8,9,10,11,13
Assistant Executive Officer	7,8,9,10,11,13
Supervising Examiner	7,9,11

The Board of Cosmetology has been abolished, and its functions transferred to the Bureau of Barbering and Cosmetology, which in 2003 was renamed Board of Barbering and Cosmetology.

Certified Shorthand Reporters Board Court Reporters Board

Board Members	7,8,9,11,13
Executive Officer	7,8,9,11,13

The Certified Shorthand Reporters Board was renamed the "Court Reporters Board" and placed accordingly in the Board section of these regulations in alphabetical order.

Board of Dental Examiners Dental Board of California

Board Members	7,8,9,11,13
Executive Officer	7,8,9,11,13
Assistant Executive Officer	7,8,9,11,13
Supervising Special Investigator II	7,8,9,11
<u>Supervising Special Investigator I</u>	<u>7,8,9,11</u>
Enforcement Supervisor (Staff Services Manager I)	<u>7,8,9,11</u>
Diversion Evaluation Committee Members.....	9
Staff Services Analysts	9
Members of the Committee on Dental Auxiliaries	7,8,11,13
Executive Officer	7,8,9,11,13
<u>Staff Services Analyst</u>	<u>7, 8, 9, 11</u>
Members of the Examining Committee	7,8,11,13

Members of the following subcommittees of the Committee on Dental Auxiliaries:

<u>RDA Written Test Construction Subcommittee</u>	<u>7, 8, 11</u>
<u>RDA Practical Examination Subcommittee</u>	<u>7, 8, 11</u>
<u>RDH Examination Subcommittee</u>	<u>7, 8, 11</u>
<u>EF Examination Subcommittee</u>	<u>7, 8, 11</u>

The Board of Dental Examiners was renamed “Dental Board of California.” The Supervising Special Investigator and Enforcement Supervisor have been added to the code, as well as a Staff Services Analyst. The following subcommittees composed of nonmembers of Boards have been added to the code: (1) RDA Written Test Construction (2) RDA Practical Examination (3) RDH Examination Subcommittee and (4) EF Examination Subcommittee.

Board of Funeral Directors and Embalmers

Board Members	7,8,9,10,11,13
Executive Officer	7,8,9,10,11,13
Field Representative	7,10,11,13
General Auditor II	7,10,11,13

The Board of Funeral Directors and Embalmers was abolished, and merged with the Cemetery and Funeral Bureau.

Board of Registration for Geologists and Geophysicists

Board Members.....	7,8,9,11,13
Executive Officer	7,8,9,11,13
<u>Members of the Examining Committee</u>	<u>7,8,9,11</u>

The Board of Registration for Geologists and Geophysicists was renamed the Board for Geologists and Geophysicists. The members of the Examining Committee were added to the code, pursuant to Sweeney Advice Letter, FPPC File No. A-00-078, May 17, 2000, which determined that the Examining Committee was a long-standing committee whose recommendations were adopted without significant or substantive review.

State Board of Guide Dogs for the Blind

Board Members.....	7,9,11,13
Executive Secretary <u>Administrative Assistant</u>	7,9,11,13

The State Board of Guide Dogs for the Blind has reclassified its Executive Secretary to an Administrative Assistant Position.

Board of Landscape Architects

Board Members	7,8,9,11,13
Executive Officer	7,8,9,11,13

The Board of Landscape Architects was abolished and its functions transferred to the Landscape Architect Program within the California Architects Board.

Medical Board of California

Division of Licensing Members.....	7,8,9,11,13
Division of Medical Quality Members	7,9,10,11,13
Medical Quality Review Committee Members	7,9,10,11
Division of Allied Health Professions Members	7,8,9,10,11,13
Executive Director	7,8,9,10,11,13
Assistant <u>Deputy Executive Director</u>	7,8,9,10,11,13
<u>Chief of Legislation</u>	<u>7,8,9,10,11</u>

~~Members and Executive Officers of the following Committees:~~

Acupuncture Committee	7,8,9,11,13
Board of Podiatric Medicine	
Staff Services Analyst	7,8,9,11,13

Designated Employees

Disclosure Categories

Hearing Aid Dispensers Examining Committee	7,8,9,11,13
Speech Pathology and Audiology Examining Committee	7,8,9,11,13
Physician Assistant Examining Committee	7,8,9,11,13
Board of Psychology	7,8,9,11,13
Physical Therapy Examining Committee	7,8,9,11,13
Respiratory Care Examining Committee	7,8,9,11,13
Chief Medical Consultant-Director	7,8,9,10,11,13
Legal Counsel	7,8,9,10,11,13

Enforcement

Program Manager Chief of Enforcement	7,8,9,10,11,13
Deputy Program Manager Chief of Investigations and Enforcement	7,8,9,10,11,13
Deputy Chief of Enforcement, Field Operations	7,8,9,10,11,13
Supervising Special Investigator II	7,8,9,10,11,13
Medical Consultant	7,8,9,10,11,13

Licensing

Program Manager Chief of Licensing	7,8,9,11,13
<u>Medical Consultant</u>	<u>7,8,9,11</u>

Division of Administration

Program Manager	7,9,11,13
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Diversion Evaluation Committee

Members	9
Program Manager <u>Diversion Program Administrator</u>	9

<u>Information Systems Branch Program Manager</u>	<u>9</u>
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The Medical Board has board members assigned to the two divisions: Division of Licensing and Division of Medical Quality. For clarification, the language “Division of Licensing Members” and “Division of Medical Quality Members” has been amended to include a single reference to “Board Members.” The Medical Quality Review Committee and the Division of Allied Health Profession Members were abolished.

The Assistant Executive Director was renamed “Deputy Executive Director.” The Chief of Legislation has been added to the code. The Acupuncture, Speech, Pathology and Audiology, Physical Therapy, and Respiratory Care Examining committees all became independent boards and placed accordingly in this code as boards. The Physician Assistant Examining Committee, renamed as the Physician Assistant Committee, has been listed alphabetically. The Hearing Aid Dispensers Committee was transferred to the Bureau of Hearing Aid Dispensers. The Board of Podiatric Medicine and Board of Psychology, which are independent boards, were placed in the appropriate sections of these regulations.

The Chief Medical Consultant was renamed as the Medical Director.

In the Enforcement Division, the Program Manager was renamed “Chief of Enforcement.” The Deputy Program Manager duties were assumed by two positions, Deputy Chief of Investigations and Enforcement, and Deputy Chief of Enforcement, Field Operations. The Supervising Special Investigator was renamed “Supervising Investigator II.”

The Program Manager for Licensing was renamed as “Chief of Licensing.” The Medical Consultant has been added to the code. The Program Manager for the Diversion Evaluation Committee was renamed as “Diversion Program Administrator.”

The Information Systems Branch Program Manager has been added to the code.

Board of Nursing Home Administrators

Board Members	7,8,9,11,12,13
Executive Officer	7,8,9,11,12,13

The Board of Nursing Home Administrators has been abolished.

Occupational Therapy Board

<u>Board Members</u>	<u>7,8,9,11</u>
<u>Executive Officer</u>	<u>7,8,9,11</u>
<u>Staff Services Analyst</u>	<u>7,8,9,11</u>

The Occupational Therapy Board was established in 2000. The Board Members, Executive Officer, and Staff Services Analyst have been added to the code.

Board of Optometry

Board Members	7,8,9,10,11,13
Executive Officer	7,8,9,10,11,13
Enforcement Coordinator	7,8,9,10,11,13

Designated Employees

Disclosure Categories

<u>Associate Governmental Program Analyst - Licensing Coordinator</u>	<u>7,8,9,10,11</u>
<u>Associate Governmental Program Analyst - Enforcement</u>	<u>7,8,9,10,11</u>

The Associate Governmental Program Analyst - Licensing Coordinator and the Associate Governmental Program Analyst - Enforcement have been added to the code.

Osteopathic Medical Board

<u>Board Members</u>	<u>7,8,9,11</u>
<u>Executive Director</u>	<u>7,8,9,11</u>
<u>Special Consultant.....</u>	<u>7,8,9,11</u>

The Osteopathic Medical Board is now a board within the Department of Consumer Affairs. The Executive Director is designated for the same reasons and the same categories as previously mentioned. The Special Consultant is a physician who evaluates applicants for their ability to practice osteopathic medicine, reviews complaints from consumers, and recommends disciplinary actions to the Executive Director.

Board of Pharmacy

Board Members.....	7,8,9,10,11,13
Executive Officer	7,8,9,10,11,13
Assistant Executive Officer	7,8,9,10,11,13
Supervising Inspector.....	7,8,9,10,11,13
Inspector	7,8,9,10,11
Subcommittee on Pharmacist Impairment Members	9

The Pharmacy Board has eliminated the Subcommittee on Pharmacist Impairment. The Board has added its inspectors to its list of designated members. According to the Assistant Executive Officer, each inspector is authorized to initiate, conduct, or conclude board investigations, and works alone and autonomously in performing investigations.

Physical Therapy Examining Committee Board

<u>Board Members</u>	<u>7,8,9,11</u>
<u>Executive Officer</u>	<u>7,8,9,11</u>
<u>Associate Governmental Program Analyst</u>	<u>7,8,9,11</u>

The Physical Therapy Board is a board created since the 1990 code. Its members, Executive Officer, and Associate Governmental Program Analysts have been added to the code.

Physician Assistant ~~Examining~~ Committee

<u>Board Members</u>	<u>7,8,9,11</u>
<u>Executive Officer</u>	<u>7,8,9,11</u>
<u>Associate Governmental Program Analyst</u>	<u>7,8,9,11</u>

The Physician Assistant Examining Committee was renamed Physician Assistant Committee and has been listed alphabetically. Its members, Executive Officer, and Associate Governmental Program Analysts were added to the code.

Board of Podiatric Medicine

<u>Board Members</u>	<u>7,8,9,11,13</u>
<u>Executive Officer</u>	<u>7,8,9,11</u>
<u>Associate Governmental Program Analyst</u>	<u>7,8,9,11</u>
<u>Staff Services Analyst</u>	<u>7,8,9,11,13</u>

Since the Board of Podiatric Medicine is an independent board, it has been placed in this section of the code rather than under the Medical Board. The Executive Officer has been added to the code. The Staff Services Analyst position was upgraded to an Associate Governmental Program Analyst Position.

Board of ~~Registration~~ for Professional Engineers and Land Surveyors

<u>Board Members</u>	<u>7,8,9,11,13</u>
<u>Executive Officer</u>	<u>7,8,9,11,13</u>
<u>Assistant Executive Officer</u>	<u>7,8,9,11,13</u>
<u>Senior Engineering Registration Examiner</u>	<u>7,9,11</u>
<u>Land Surveyor Consultant</u>	<u>7,9,11</u>
<u>Technical Advisory Committee Members</u>	<u>7,8,9,11</u>

The Board of Registration for Professional Engineers and Land Surveyors was renamed the “Board for Professional Engineers and Land Surveyors.” The position of Land Surveyor Consultant and the members of the Technical Advisory Committee were added to the code.

Board of Psychology

<u>Board Members</u>	<u>7,8,9,11,13</u>
<u>Executive Officer</u>	<u>7,8,9,11</u>
<u>Assistant Executive Officer</u>	<u>7,8,9,11</u>

The Board of Psychology has added the Assistant Executive Officer to the code.

Board of Registered Nursing

Board Members	7,8,9,11,13
Executive Officer	7,8,9,11,13
Assistant Executive Officer	7,8,9,11,13
Supervising Nursing Education Consultants.....	7,8,9,11,13
Nursing Education Consultants.....	7,8,9,11,13
Diversion Evaluation Committee Members.....	7,8,9,11,13
Diversion Program Manager	7,8,9,11,13
Enforcement Program Manager	7,8,9,11,13
<u>Manager, Licensing and Administrative Services.....</u>	<u>7, 8,9,11</u>
<u>Manager, Licensing Standards and Evaluation; Advanced Practice</u>	<u>7, 8,9,11</u>

The Manager, Licensing and Administrative Services and the Manager, Licensing Standards and Evaluation: Advanced Practices have been added to the code.

Respiratory Care ~~Examining Committee~~ Board

<u>Board Members</u>	<u>7,8,9,11</u>
<u>Executive Officer</u>	<u>7,8,9,11</u>
<u>Assistant Executive Officer</u>	<u>7,8,9,11</u>

The Respiratory Care Examining Committee became an independent board named appropriately “Respiratory Care Board” and its members, executive officer, and assistant executive officer have been added to the code with the usual disclosure categories.

Speech-Language Pathology and Audiology ~~Examining Committee~~ Board

<u>Board Members</u>	<u>7,8,9,11</u>
<u>Executive Officer</u>	<u>7,8,9,11</u>
<u>Staff Services Analyst</u>	<u>7,8,9,11</u>

The Speech Pathology and Audiology Committee became an independent board and was appropriately named “Speech-Language Pathology and Audiology Board.” Its members, Executive Officer, and a Staff Services Analyst were added to the code.

Structural Pest Control Board

Board Members	7,8,9,11,13
Registrar	7,8,9,11,13
Assistant Registrar	7,8,9,11,13
Deputy Registrar	7,8,9,11,13
<u>Chief Enforcement Officer</u>	<u>7,8,9,11</u>

Designated Employees

Disclosure Categories

Senior Pest Control Specialist.....	7,8,9,11
<u>Disciplinary Review Committee Members</u>	<u>7,8,9,11</u>

The Structural Pest Control Board eliminated the Deputy Registrar position within its agency, and has added the Chief Enforcement Officer to the list of designated employees. The Chief Enforcement Officer inspects company records to ensure compliance with board rules, and inspects properties of consumers who have submitted complaints concerning a licensee. The Senior Pest Control Specialist has been renamed as “Pest Control Specialist.” The members of the Disciplinary Review Committee have been added to the code.

Tax Preparer Program

Administrator	7,9,11,13
Assistant Administrator	7,9,11,13

The Tax Preparer Program was abolished.

Board of Examiners in Veterinary Medicine Veterinary Medical Board

Board Members	7,8,9,11,13
Executive Officer	7,8,9,11,13
Animal Health Registered Veterinary Technician Examining Committee <u>Members</u> ..	7,8,11,13
Drug and Alcohol Diversion Evaluation Committee Members	9
Program Manager	9

The Board of Examiners in Veterinary Medicine has been renamed as “Veterinary Medical Board.” The Animal Health Registered Veterinary Technician Examining Committee has been renamed as the Registered Veterinary Technician Committee.

Board of Vocational Nursing and Psychiatric Technicians ~~Examiners~~

Board Members	7,8,9,11,13
Executive Officer	7,8,9,11,13
Assistant Executive Officer	7,8,9,11,13
<u>Supervising Nursing Education Consultant</u>	<u>7,8,9,11</u>
Nursing Education Consultants	7,8,9,11,13
<u>Staff Services Manager</u>	<u>7,8,9,11</u>

The Board of Vocational Nursing and Psychiatric Technicians has added a Supervising Nursing Education Consultant and a Staff Services Manager of the Enforcement Unit to its list of designated employees. The Supervising Nursing Education Consultant supervises an Education Unit consisting of nursing consultants who have all been previously designated in the 1990 code. The Staff Services Manager I oversees the Enforcement Unit.

All Bureau Chiefs and Deputy Bureau Chiefs, Including But Not Limited to the following Bureaus:**Bureau of Automotive Repair**

Bureau Chief	7,9,10,11,13
Deputy Chief, Smog Check Operations and Engineering <u>Services Division</u>	<u>7,9,10,11</u>
<u>Staff Services Manager II, California Smog Check Program</u>	<u>7,9,10,11</u>
<u>Supervising Air Quality Engineer, Smog Check Operations</u>	<u>7,9,10,11</u>
<u>Staff Services Manager I, Contracts Management Unit</u>	<u>7,9,10,11</u>
 Deputy Chief, Consumer Assistance and Administration Division.....	<u>7,9,10,11</u>
<u>Program Manager II, Consumer Assistance Program</u>	<u>7,9,10,11</u>
<u>Staff Services Manager I, Administrative Support Services</u>	<u>7,9,10,11</u>
<u>Associate Governmental Program Analyst, Contracts</u>	<u>7,9,10,11</u>
<u>Staff Services Analyst, Purchasing</u>	<u>7,9,10,11</u>
<u>Office Technician, Contract and Purchasing Support</u>	<u>7,9,10,11</u>
 Division Deputy Chief, Field Operations and Enforcement	<u>7,9,10,11</u>
<u>Program Manager II, Vehicle Documentation Program</u>	<u>7,9,10,11</u>
<u>Program Manager II, Smog Check Field Operations Program</u>	<u>7,9,10,11</u>
<u>Program Manager I, Enforcement Operations Headquarters</u>	<u>7,9,10,11</u>
<u>Program Manager I, Field Operations (North)</u>	<u>7,9,10,11</u>
<u>Program Manager I, Field Operations (South)</u>	<u>7,9,10,11</u>
<u>Program Manager II, Automotive Repair Program</u>	<u>7,9,10,11</u>
<u>Program Manager I, Auto Body Program</u>	<u>7,9,10,11</u>
<u>Program Manager I, Field Operations (North)</u>	<u>7,9,10,11</u>
<u>Program Manager I, Field Operations (South)</u>	<u>7,9,10,11</u>
 Division Chief, Program Services	<u>7,9,10,11,13</u>
Assistant Chief, Public Affairs	<u>7,9,10,11,13</u>
Program Managers	<u>7,9,10,11,13</u>
Chief, Dispute Resolution Certification Program	<u>7,9,11,13</u>

The Bureau of Automotive Repair is divided into three divisions, each headed by a Deputy Chief reclassified from a Division Chief.

The Deputy Chief, Smog Check Operations and Engineering Division, has been added to the code along with the heads of the four programs and a contract unit. The Deputy Chief position is classified as a CEA while the heads of the four programs are classified as a Staff

Services Manager II, or a Supervising Air Quality Engineer II. Also, the Staff Services Manager I who heads the Contracts unit has been added to the code.

The Deputy Chief, Consumer Assistance and Administration, has been added to the code. Within this division, the Program Manager II (Consumer Assistance) along with the Staff Service Manager (Administrative Support Services), Associate Governmental Program Analyst (Contracts), the Staff Services Analyst (Purchasing), and the Office Technician (Contract and Purchasing Support) have been added to the code.

The Field Operations has been renamed as Field Operations and Enforcement. Within this division, three Program Manager II's have been added to the code. Within Smog Check Field Operations Program, three Program Manager I's have been added to the code. Within the Automotive Repair Program, three Program Manager I's have been added to the Code.

Cemetery and Funeral Bureau

<u>Chief</u>	<u>7,9,11</u>
<u>Deputy Chief</u>	<u>7,9,11</u>
<u>Supervising Governmental Auditor</u>	<u>7,9,11</u>
<u>General Auditor III</u>	<u>7,9,11</u>
<u>General Auditor II</u>	<u>7,9,11</u>
<u>Field Representatives</u>	<u>7,9,11</u>
<u>Associate Governmental Program Analyst</u>	<u>7,9,11</u>

The Cemetery Board and the Board of Funeral Directors and Embalmers were abolished and their functions transferred to the Cemetery and Funeral Bureau. The Supervising Governmental Auditor and General Auditor III have been added to the code. The General Auditor II and the Field Representative were previously designated in the 1990 code with the Board of Funeral Directors and Embalmers, but a Field Representative for cemetery has been added. The Associate Governmental Program Analyst who reviews complaints concerning licensees has been added to the code.

Bureau of ~~Collection~~ Security and Investigative Services

<u>Bureau Chief</u>	<u>7,8,9,11,13</u>
<u>Deputy Chief</u>	<u>7,8,9,11,13</u>
<u>Assistant Chief</u>	<u>7,8,9,11,13</u>
<u>Auditor III</u>	<u>7,8,9,11,13</u>
<u>Alarm Company Disciplinary Committee Members</u>	<u>7,8,9,11</u>
<u>Private Security Operator Disciplinary Committee Members</u>	<u>7,8,9,11</u>

The Bureau of Collection and Investigative Services was renamed the Bureau of Security and Investigative Services. The Department no longer regulates collection agencies. The

Auditor III position has been deleted from the code as this position no longer exists. The Alarm Company Disciplinary Review Committee and the Private Security Disciplinary Review Committee have been added to the code. Both committees have the statutory authority to affirm, rescind, or modify all appealed decisions regarding fines, denial revocation, or suspensions of licenses and certificates.

Bureau of Home Furnishings and Thermal Insulation

Bureau Chief	7,9,10,13
Deputy Chief	7,9,10,13
<u>Manager, Laboratory and Field Operations</u>	<u>7,9,10</u>
<u>Manager, Research and Development, and Thermal Insulation Program</u>	<u>7,9,10</u>
<u>Manager, Enforcement and Compliance</u>	<u>7,9,10</u>
<u>Supervising Chemist</u>	<u>7,9,10</u>

The Bureau of Home Furnishings and Thermal Insulation has eliminated the Deputy Chief Position. Four positions have been added to the code. Added to the code were three program managers which headed these three programs: (1) Laboratory and Field Operations, Research and Development Program; (2) the Thermal Insulation Program; and, (3) the Enforcement and Compliance Program. A supervising chemist has also been added to the code.

Bureau of Electronic and Appliance Repair

Bureau Chief	7,9,11,13
Assistant Chief	7,9,11,13
Program Manager	7,9,11,13
<u>Staff Services Manager I (Policy, Licensing, Administration)</u>	<u>7,9,11</u>

The Bureau of Electronic and Appliance Repair has eliminated the Assistant Chief position has and has added a Staff Services Manager I (Policy, Licensing, Administration) to the code.

Bureau of Hearing Aid Dispensers

<u>Chief</u>	<u>7,8,9,11</u>
<u>Hearing Aid Dispensers Examining Committee Members</u>	<u>7,8,9,11</u>

The Bureau of Hearing Aid Dispensers, along with the position of Chief, has been added to the code. The Hearing Aid Dispenser Committee was transferred from the Medical Board to the bureau.

Bureau for Private Postsecondary and Vocational Education

<u>Chief</u>	7, 8, 9, 11
<u>Deputy Bureau Chief</u>	7, 8, 9, 11
<u>Education Administrator</u>	7, 8, 9, 11
<u>Private Post Education Senior Specialist</u>	7, 8, 9, 11
<u>Private Post Education Specialist</u>	7, 8, 9, 11
<u>Staff Services Manager III, Administrative Services Unit</u>	7, 8, 9, 11
<u>Education Specialist, Enforcement</u>	7, 8, 9, 11
<u>Staff Services Manager I</u>	7, 8, 9, 11

Bureau of Private Postsecondary & Vocational Education (formerly, the Commission of Private Postsecondary and Vocational Education) has been added to the code, along with the positions of the Chief, Deputy Bureau Chief, Education Administrator, Private Post Education (Senior Specialist and Specialist), Staff Services Manager III (Administrative Unit, Education Specialist (Enforcement), and a Staff Services Manager I.

Bureau of Telephone Medical Advice Services

<u>Chief</u>	7,8,9,11
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The Bureau of Telephone Medical Advice Services has been added to the code along with the position of chief.

Division of Investigation

<u>Chief</u>	2,3, 4,9,11,13
<u>Deputy Chief</u>	2,3,4,9,11,13
<u>Supervising Special Investigator II</u>	2,3,4,9,11,13
<u>Staff Services Manager</u>	9

The Division of Investigation has renamed the Supervising Special Investigator to Supervising Investigator II. The Staff Services Manager I position which provides administrative support to the division has been added to the code.

Consultants *

~~Consultants shall disclose financial interests pursuant to the disclosure categories applicable to the manager of the organizational unit for which the contract services are being provided.~~

This sentence is being deleted because it is inconsistent with the paragraph below.

* Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The (chief executive officer) may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The (chief executive officer's) determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

Disclosure Categories

For purposes of the following, "business," "profession," or "business entity" includes an individual person.

For purposes of the following, "business position" means status as a director, officer, partner, trustee, employee, or holder of a position of management in any business entity.

Category 1

Designated officials or employees assigned to this category must report:

All sources of income, interests in real property, investments in and business positions in business entities.

Category 2

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and sources of income from a business entity if, within the previous four years, the Department of Consumer Affairs has taken any civil or administrative action against such entity, or has intervened in such action.

Category 3

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and any income from a business entity or profession where the business entity or profession is regulated by any licensing agency within the Department of Consumer Affairs.

Category 4

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and any income from, an educational institution or continuing education provider of the type to offer programs which qualifies a person for licensing or qualifies for continuing education credit by any of the licensing agencies in the Department of Consumer Affairs.

Category 5

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and any income from a business entity if, within the previous two years, the entity is of the type which has contracted to provide goods or services to the Department of Consumer Affairs or any of the licensing agencies within the department.

Category 6

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and any income from a business entity where the entity is engaged in the manufacturing, wholesaling or retailing of any equipment or product required to be approved or meet standards set by any licensing agency within the Department of Consumer Affairs.

Category 7

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and any income from, a business entity or profession where the business entity or profession is regulated by the official's or employee's licensing agency.

Category 8

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and any income from, an educational institution or continuing education provider where the institution or provider

offers programs or courses qualifying for licensing or continuing education credit by the official's or employee's licensing agency.

Category 9

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and any income from, a business entity if, within the previous two years, the entity is of the type which has contracted with the official's or employee's immediate employer to provide goods or services.

Category 10

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and any income from, a business entity where the entity is engaged in the manufacturing, wholesaling, or retailing of any equipment or product required to be approved or meet standards set by the official's or employee's licensing agency.

Category 11

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and any income from, a business entity or professional association where the members are regulated by the official's or employee's licensing agency.

Category 12

~~Designated officials or employees assigned to this category must report:~~

~~Interests in real property, investments and business positions in, and any income from, a facility licensed by the Department of Health Services which must be managed by a nursing home administrator.~~

Disclosure Category 12 has been deleted. This category specifically applied to the Board Members and Executive Officer of the Board of Nursing Home Administrator which has been transferred to the Department of Health Services.

Category 13

~~Designated officials or employees assigned to this category must report:~~

~~Interests in real property, investments and business positions in, and any income from, a business entity which would be beneficially or adversely affected by currently pending legislation.~~

Category 13 has been deleted. This category required economic interests “which would be adversely affected by currently pending legislation.” This category is overly broad. A governmental official would need to disclose all economic interests to ensure compliance since “currently pending legislation” could impact any economic interest owned by the government official. Secondly, assuming that taking a position on legislation is a governmental action within the meaning of the code, the relevant economic interest would have already been disclosed pursuant to category 1-11. Eliminating Category 13 would not require the disclosure of irrelevant economic interest.